

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically at the time and date indicated, which may be materially different from its entry on the record.




Russ Kendig
United States Bankruptcy Judge

Dated: 07:51 AM August 15, 2022

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

IN RE: : **Chapter 13 Proceedings**
:
Kevin Lee Shearer, : **Case No. 19-62544**
:
Debtor. : **Judge Russ Kendig**

**JOINT STIPULATION AND AGREED ENTRY MODIFYING 5.1 OF THE
CONFIRMED PLAN TO REQUIRE A DIVIDEND OF ONE HUNDRED
PERCENT (100%) IN ORDER TO EARN A DISCHARGE**

Now comes Chapter 13 Trustee, Dynele L. Schinker-Kuharich, and Debtor(s), Kevin Lee Shearer, by and through the undersigned counsel, and jointly stipulate and agree to the following:

1. This case was filed under Chapter 13 of the United States Bankruptcy Code on December 20, 2019.
2. The Plan was confirmed on June 12, 2020.
3. The Plan is feasible and is currently paying the allowed nonpriority unsecured claims that are not separately classified a dividend of one hundred percent (100%).
4. Upon review of the 2021 federal income tax return, the gross annual income for Debtor(s) has increased from approximately \$100,548.24 at the time of plan confirmation to approximately \$112,971.00. This is an annual increase of approximately \$12,422.76.

5. 11 U.S.C. §1322(a) requires submission of all or such portion of future earnings or other future income of the debtor to the supervision and control of the trustee as is necessary for the execution of the plan.
6. Because the Plan is currently paying a one hundred percent (100%) dividend to the allowed nonpriority unsecured claims that are not separately classified, and because Debtor(s) do(es) not desire to increase the Chapter 13 plan payment by the amount of the additional disposable income, the parties jointly stipulate and agree that 5.1 of the Chapter 13 Plan is hereby modified to require allowed nonpriority unsecured claims that are not separately classified to receive a one hundred percent (100%) dividend in order for Debtor(s) to receive a discharge in this Chapter 13 case.

WHEREFORE, the above Stipulation and Agreement is well taken. **In order for Debtor(s) Kevin Lee Shearer to earn a discharge in this case, all timely filed, undisputed, non-priority, general unsecured creditors must receive a one hundred percent (100%) dividend. IT IS SO ORDERED.**

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Submitted By:

/s/ A. Michelle Jackson Limas
Dynele L. Schinker-Kuharich (0069389)
Chapter 13 Trustee
A. Michelle Jackson Limas (0074750)
200 Market Avenue North, Ste. 30
Canton, OH 44702
Telephone: 330.455.2222
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Approved By:

/s/ Deborah L. Mack
Deborah L. Mack (0067347)
Counsel for Kevin Lee Shearer
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NOTICES TO:

Office of the United States Trustee, via the Court's Electronic Case Filing System at
[RegisteredEmailAddress]@usdoj.gov

Office of the Chapter 13 Trustee, via the Court's Electronic Case Filing System at
DLSK@Chapter13Canton.com

Deborah L. Mack, Counsel for Kevin Lee Shearer, via the Court's Electronic Case Filing System
at Debbie@ohiofinancial.lawyer

All Creditors on the Attached Matrix, via regular mail

Kevin Lee Shearer, Debtor, via regular mail at:
339 Hampton Road
Lexington, OH 44904

Label Matrix for local noticing
0647-6
Case 19-62544-rk
Northern District of Ohio
Canton
Fri Aug 12 13:24:03 EDT 2022

United States Bankruptcy Court
Ralph Regula U.S. Courthouse
401 McKinley Avenue SW
Canton, OH 44702-1745

American Express National Bank
c/o Becket and Lee LLP
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(p)OHIO ATTORNEY GENERAL'S OFFICE
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COLUMBUS OH 43215-3414

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Attn: Correspondence
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Wilmington, DE 19899-8801

Capital One Bank (USA), N.A.
by American InfoSource as agent
PO Box 71083
Charlotte, NC 28272-1083

Debt Recovery Solutions of Ohio
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Mansfield, OH 44901

First Bankcard /Jeep
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Internal Revenue Service
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(p)JEFFERSON CAPITAL SYSTEMS LLC
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Fort Lauderdale, FL 33329-7871

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LVNV Funding, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Phillips & Cohen Assoc Ltd
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Wilmington, DE 19801-5148

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
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NORFOLK VA 23541-1067

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c/o PRA Receivables Management, LLC
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Synchrony Bank/Amazon
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Synchrony Bank/Walmart
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Orlando, FL 32896-5060

World's Foremost Bank
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Kevin Lee Shearer
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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

AmeriCredit Financial Services, Inc.
dba GM Financial
P O Box 183853
Arlington, TX 76096

Attorney General of Ohio
Collection Enforcement Section
Attn Bankruptcy Staff
150 E Gay St, 21st Floor
Columbus, OH 43215

First National Bank
Attn: Bankruptcy
1620 Dodge St Mailstop 4440
Omaha, NE 68197

(d)First National Bank of Omaha
1620 Dodge Street, Stop Code 3129
Omaha, NE 68197

Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-9617

Portfolio Recovery Associates, LLC
POB 12914
Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)AmeriCredit Financial Services, Inc.

(d)Citibank
Attn: Recovery/Bankruptcy
Po Box 790034
St Louis, MO 63179-0034

(d)PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

End of Label Matrix
Mailable recipients 37
Bypassed recipients 3
Total 40